

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

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United States District Court
Western District of Kentucky

MEMBERS:
Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

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United States District Court
District of Kansas

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United States Court of Appeals
Eighth Circuit

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United States District Court
Northern District of Texas

Frank C. Damrell, Jr.
United States District Court
Eastern District of California

David G. Trager
United States District Court
Eastern District of New York

DIRECT REPLY TO:

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Clerk of the Panel
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January 13, 2010

Richard W. Wiking, Clerk
2112 U.S. Courthouse
280 South First Street
San Jose, CA 95113

Re: MDL No. 2040 -- IN RE: ConocoPhillips Co. Service Station Rent Contract Litigation

(See Attached CTO-5)

Dear Mr. Wiking:

Attached as a PDF document is a certified copy of a conditional transfer order filed by the Panel in the above-captioned matter on December 29, 2009. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 14 days to give any party an opportunity to oppose the transfer. The 14-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A Panel Service List is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By Tarrell L. Littleton
Tarrell L. Littleton
Deputy Clerk

Attachments (Conditional Transfer Order is a Separate Document)

cc: Transferee Judge: Judge Ronald M. Whyte

**IN RE: CONOCOPHILLIPS CO. SERVICE
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

PANEL SERVICE LIST (CTO-5)

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